

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

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CASE NO. 8:07CV214

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Plaintiff,

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VS.

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ANSWER TO VERIFIED
COMPLAINT FOR FORFEITURE

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\$19,000.00 IN UNITED STATES CURRENCY,

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Defendant.

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COMES NOW Claimant Deon Owens and for his answer provides the following:

1. Paragraph One is admitted.
2. Paragraph Two is admitted.
3. Paragraph Three is admitted.
4. Paragraph Four is admitted.
5. Paragraph Five is admitted.
6. Paragraph Six is denied including subparts a. through q.
7. Paragraph Seven is denied.

AFFIRMATIVE DEFENSE

Plaintiff lacks probable cause for the belief that a substantial connection exists between the money to be forfeited and the exchange of a controlled substance for the institution of this forfeiture suit.

SECOND AFFIRMATIVE DEFENSE

The Defendant money was not used in violation of 21 U.S.C. § 881 or any other related statute and can be traced to legitimate earnings and proceeds.

THIRD AFFIRMATIVE DEFENSE

The Defendant money was seized illegally and in violation of Claimant's constitutional rights to be free from unreasonable searches and seizures.

WHEREFORE, Claimant Deon Owens prays that Plaintiff's Complaint be denied in all things and for any further relief to which claimant may be entitled including attorney fees.

DEON OWENS, Claimant

BY:s/Jason E. Troia
JASON E. TROIA, #21793
Gallup & Schaefer
1001 Farnam Street
Omaha, NE 68102
(402) 341-0700

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was sent to Nancy A. Svoboda, Assistant U.S. Attorney, 1620 Dodge Street, Suite 1400, Omaha, Nebraska, 68102-1506, by first class U.S. mail this 22nd day of June, 2007.

s/Jason E. Troia